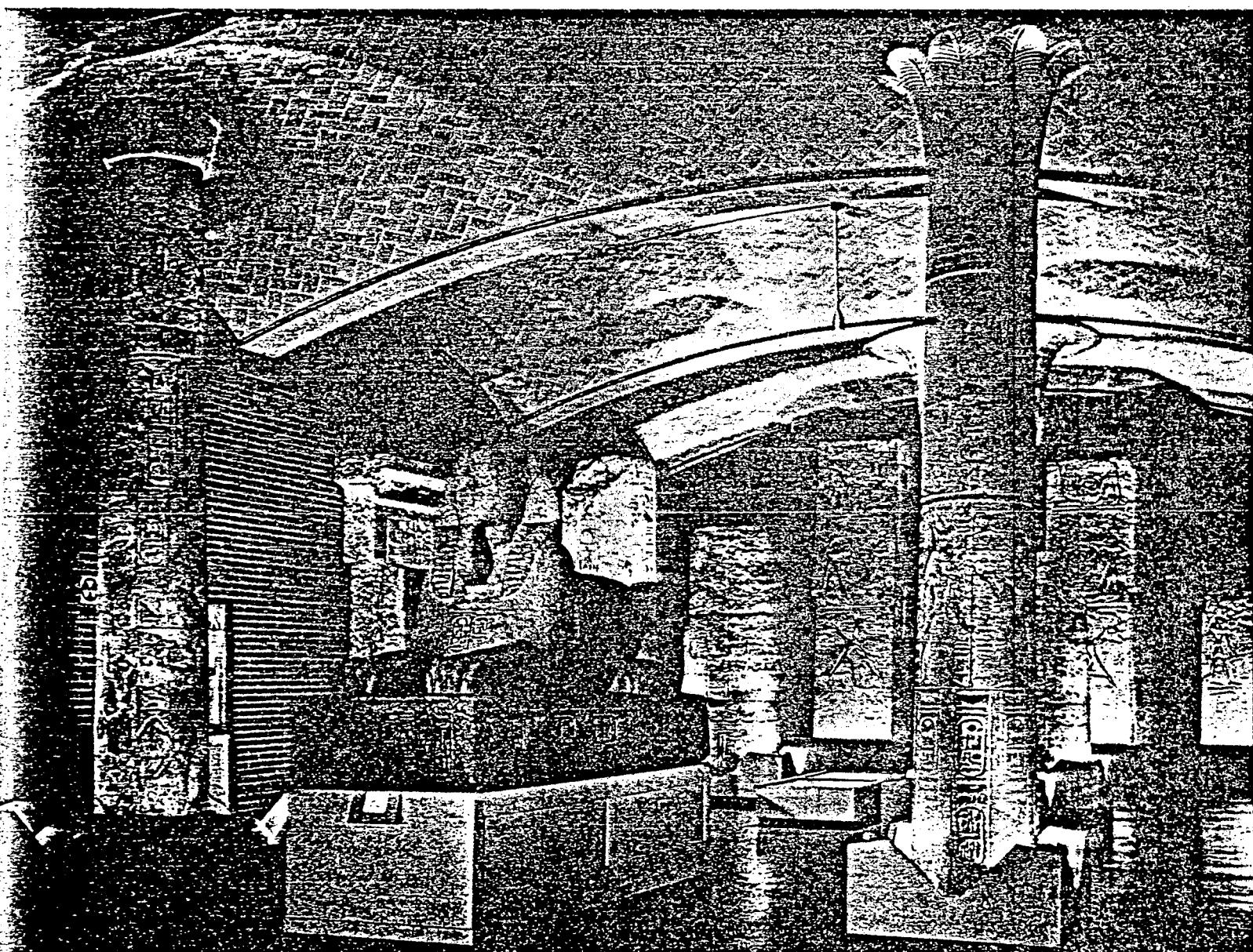


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Lower Egyptian Gallery, University of Pennsylvania Museum (page 78)

Universities and the Intelligence Community

During the Association's Sixty-fourth Annual Meeting this past June, Admiral Stansfield Turner, Director of the CIA, was joined by Morton Halperin, Director of the Center for National Security Studies, and John William Ward, President of Amherst College, in a panel discussion on the relationship between the CIA and the academic community. The panel was moderated by Professor Henry Mason (Tulane University). During his remarks, Admiral Turner stated that the CIA presently recruits a small proportion of the some 120,000 foreign students attending American colleges and universities, and that "just like business or other government agencies" the CIA recruits openly on about

**MORTON S. BARATZ, General Secretary, AAUP
Statement before the Senate Select Committee
on Intelligence, July 20, 1978**

I am honored to be invited to testify before this Committee on the relations of the intelligence agencies to the academic community. S. 2525, the National Intelligence Reorganization and Reform Act of 1978, is the most significant legislation affecting national intelligence activities considered by Congress since the Central Intelligence Agency was established in 1947. From this Committee's deliberations there will come, I am confident, a marked improvement in the body of law governing the intelligence system of the United States, which will assure effective intelligence activities consistent with preserving the integrity of other national institutions and professions.

Strong, effective national intelligence activities are in the national interest. Their strength and effectiveness can be enhanced with access to the energy, talents, skills, and physical resources housed in the nation's institutions of higher education.

150 campuses. Shortly after the June meeting, Dr. Morton Baratz, the Association's General Secretary, testified before the Senate Intelligence Committee on S. 2525, the National Intelligence Reorganization and Reform Act. Dr. Baratz was joined by President Derek Bok of Harvard University and Professor Richard Abrams of the University of California, Berkeley. The current and future relationships between the intelligence agencies and the academic community raise pressing issues for all concerned. We therefore take the opportunity to publish the revised remarks of Admiral Turner and the prepared statements of Dr. Baratz and President Bok.

An academic community known by all concerned to be devoted to the search for truth, wherever truth may lie, is also in the national interest. One necessary condition for assurance of the integrity of intellectual inquiry is insulation of scholars from those persons, groups, and institutions that have an interest either in suppressing relevant kinds of information or using it in ways that are antithetical to the pursuit of truth.

Are the respective imperatives of intelligence work and of scholarly inquiry irreconcilable? If not, what rules may be established and by whom to regulate the relationships between intelligence agencies and the academic community, such that legitimate national security objectives can be more nearly achieved without causing significant dilution of academic freedom and academic self-government?

The American Association of University Professors has, for the over sixty years of its existence, defended the academic freedom of teachers and scholars. We have done so not as some particular entitlement of teachers and scholars, but in service of the inestimable value of academic freedom to the na-



Morton S. Baratz testifies before the Senate Select Committee on Intelligence

tion. In the words of the 1940 *Statement of Principles on Academic Freedom and Tenure*, a document endorsed by more than one hundred scholarly and educational organizations:

Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free expression.

The pursuit and expression of knowledge, the distinguishing characteristics of the academic community, must be open and independent. There must, in other words, be no justifiable suspicion that the academic profession is being used for nonprofessional purposes. Such suspicions would cast a pall of doubt over the activities of the academic profession and thus gravely reduce the benefits to society from teachers and scholars freely discussing, teaching, or publishing their views.

We realize that this Committee has an imposing task in deciding what is suitable and what is permissible for intelligence agencies in their relations with the academic community. What can and should be legislated, and what can and should be left to self-governance on the campus, are issues for which answers are hard to find. The AAUP believes firmly in the principle of self-governance by colleges and universities, and on that basis encourages their faculties and administrators to devise professional codes of ethics to guide members of the academic community in their relations with intelligence agencies. We also believe, however, that the law should delimit the claims that the intelligence agencies can legitimately make upon academics, lest the latter find themselves

asked by their government to do that which their professional obligations preclude.

Legislation consistent with maintaining the integrity of higher education as well as with facilitating the work of the intelligence agencies is possible and desirable. It is our view, however, that S. 2525 falls short of that kind of accommodation, in that it calls into substantial question the "free search for truth and its free expression" upon which the common good rests. Here is a quick listing of its defects:

(a) It draws an untenable distinction between the academic who travels abroad under the aegis of an academic institution and the academic whose travels are private. (b) It expressly fails to prohibit covert recruitment in academic institutions. (c) It leaves to tenuous implication whether restrictions on contracting by an intelligence agency with an academic institution apply as well to individual members of the academic profession. (d) It places limits upon disclosure of participation in United States organizations which allow covert intelligence activities among campus groups composed primarily of foreign students and foreign scholars.

Each of these points deserves further, but brief, discussion.

I

Section 132 of the Bill states that no intelligence agency may "pay or provide other valuable consideration" to a United States person travelling abroad as part of a government program "designed to promote education or the arts, humanities or cultural affairs" for purposes of intelligence activities or providing intelligence information, and no intelligence agency may use for purposes of cover any academic institution (subsection (a)(2) and (6)). These are welcome provisions. But Section 132 goes on to state that no entity of the intelligence community may use as a source of operational assistance in clandestine intelligence activities in foreign countries any individual who "is a United States person whose travel to such country is sponsored and supported by a United States academic institution unless the appropriate senior officials of such institution are notified that such person is being used for such purpose" (subsection (b)(2)).

Our first concern is with the word "unless" and the language which follows. "Appropriate senior officials" (identified, we assume, by the intelligence agency) are informed that an individual from their campus is being used for clandestine intelligence activities abroad. Presumably, then, the practice goes forward. The restriction on the intelligence agencies

in lines 17-19 of this subsection is, in effect, removed in lines 19-21. But a practice which is wrong is not made right by informing "appropriate senior officials." We urge the deletion of lines 19-21 so that the intention of the legislation with respect to a limitation upon intelligence agencies may be fully implemented.

We are also troubled that the limitation on the intelligence agencies against using members of the academic community travelling abroad does not extend to the individual whose travel is *not* "sponsored and supported by a United States academic institution . . ." This distinction is, in our view, inappropriate and unworkable.

The individual who travels to a professional symposium in Greece with his own funds or funds provided by a foundation is no different in the eyes of his colleagues at home or those met abroad from the scholar sponsored and supported by an academic institution. Both seek to advance their own and others' knowledge of a field of study, and their institutional affiliations are widely publicized. An intelligence agency, however, may approach the academic who has arranged his own funding but not the dependent scholar, for use in operational activities in the foreign country. The clarity sought in S. 2525 does not exist, for what we understand this language seeks to avoid—taint of academic institutions through association with intelligence agencies in covert activities abroad—cannot be accommodated to the richly complex world of travelling academics.

There are, of course, scholars who travel as tourists, often with families, seeking recreation as any of us might. But we do not see, for the purposes of this legislation, a substantial difference between the scholar travelling privately and the scholar travelling professionally. Neither scholar is meaningfully separable from his institution. Unlike lawyers or physicians, most of whom are self-employed, but like legislators, whose professional identification is bound to an institution, the scholar abroad does not shed his institutional affiliation. It defines how he is perceived, whether or not his presence in a foreign country is sponsored and supported by an academic institution.

In 1976, the Sixty-second Annual Meeting of the AAUP called on all academics to "participate only in those government activities whose sponsorship is fully disclosed, and to avoid any involvement which might conflict with their academic obligations and responsibilities." The avoidance of a conflict of interest is an affirmative obligation resting upon academics to accept no responsibilities which would substantially interfere with their professional responsibilities. The

academic who consents to participate in clandestine activities abroad provides a cover for intelligence work. In doing so, the academic, as the Report of the Committee on Relationships between the Harvard Community and United States Intelligence Agencies observed, "casts doubt on the integrity of the efforts of the many American academics who work abroad and, as a practical matter, may make it more difficult for American academics to obtain permission to pursue their interests in foreign countries."

The academic who performs covert intelligence work thus assumes an obligation at odds with his obligations as a teacher and a scholar, for his secret activities inhibit professional relationships without which members of the academic profession may not effectively discharge their duties to students and colleagues. It follows, we believe, that that which is improper for an academic to accept and do consistent with professional ethical standards, it would be just as improper for intelligence agencies to induce.

We recommend that intelligence agencies be prohibited from using, as sources of operational assistance in foreign countries, *all* academics travelling abroad.

II

Section 132, subsection (f) states that intelligence agencies are not prohibited from using any person described in subsections (a) and (b) of this provision to aid in recruitment of employees, sources of information, and operational assistance for the intelligence community.

The wording of this subsection troubles us. If an intelligence agency may use the described persons (including clergy, journalists, and academics abroad) to assist in recruitment of sources of operational assistance, how is the constraint upon the agencies towards academics travelling in foreign countries to be maintained? We have no detailed knowledge of operational assistance programs, but we are hard pressed to understand how helping to *recruit* sources of operational assistance is distinguishable from being *used as a source* of operational assistance. Because the distinction in practice between the two is blurred, the limitation upon the intelligence agencies intended to safeguard the academic community is correspondingly weakened.

More troublesome, subsection (f) establishes a statutory mandate for covert recruitment on the campus. Open recruitment at colleges and universities by identifiable representatives of the intelligence agencies is unobjectionable. But the practice by intelligence agencies of maintaining confidential rela-

tionships with faculty members, students, or administrators for recruitment purposes is inconsistent with the requirement that all conflicts of interest which may affect teaching and scholarship be fully disclosed.

The unidentified member of the academic community who seeks the views of others for possible use by the intelligence agencies engages in false pretenses: he encourages reliance by others in his professional capacity for nonprofessional reasons. In so doing, he places *all* members of the academic community under suspicion. Thus, the unfettered exchange of ideas, central to free and independent institutions of higher learning, tends to be constrained, and the relationships that should exist in the academic community to the benefit of society, particularly those between students and faculty, are potentially distorted.

Further, we question if it is appropriate for the intelligence agencies to enlist the covert aid of a member of the academic community in activities that can result in a secret investigation of another member of the academic community, whether a United States citizen or foreign national, which may lead to additional secret government intrusion on the campus. We find nothing in S. 2525 that would restrain this possible conduct by government and are deeply troubled that information may be collected by the Executive Branch about persons at colleges and universities to be used in ways unknown to those persons and whose professional reputations and careers may, in consequence, be put at risk.

Foreign students and foreign scholars create special difficulties with respect to covert recruitment. These individuals are on our campuses in increasing number. It may be appropriate for the intelligence agencies, in pursuit of their responsibilities, to probe the views of foreign nationals or recruit their aid. But we believe it inappropriate for the intelligence agencies to use academics as a means of attaining their purposes. These practices, especially when conducted in secret on the campus, discredit the integrity of the academic profession in the same degree as covert recruitment on the campus directed against United States persons. We are concerned that any member of the academic community would consent to be part of this covert process. We are distressed that S. 2525 encourages such practices.

Accordingly, we urge that language be added to S. 2525 that prohibits the intelligence agencies from maintaining covert relationships with members of the academic community, whether witting or not, for purposes of recruitment in the United States and

abroad, and that recruitment on the campus by the intelligence agencies be confined to known representatives of the agencies whose names are made a matter of public record.

III

Section 139 places restrictions on contracting by an entity of the intelligence community with an academic institution, and allows no exception to revealing contract sponsorship with an academic institution. This restriction is an important and probably a necessary means of assuring access by the intelligence agencies to the best advice and knowledge which universities can offer, consistent with canons of institutional independence. The wording of the Section, however, leaves us uneasy in two respects and troubled in a third.

We understand that the intelligence agencies have established and funded independent establishments or proprietaries which enter contracts or arrangements with academic institutions. It is not clear if these kinds of establishments are envisioned as entities, part and parcel, of the intelligence community. We welcome clarification on this point, preferably through a definition of "entity of the intelligence community" in Section 104 ("Definitions") of the Bill.

Section 139 states that "entity sponsorship" is made known to "appropriate officials" of the academic institution. We assume that the intelligence agencies decide who and how many are "appropriate officials." It is plausible to suppose that the intelligence agencies will differ among themselves as to the meaning of "appropriate officials": the many different colleges and universities in this country, with their varied structures of governance, alone would secure this result. Our concern is that different practices in the context of a broad standard can readily defeat the purpose of the obligation to reveal contract sponsorship: to prevent conflicts of interest and thus protect the integrity of the objectives and needs of the cooperating institutions. Contract disclosure to "appropriate officials" by the intelligence agencies would, we suspect, be more likely to reflect prudential concern for the interests of the agencies than to achieve the purpose of disclosure. The likely result will be to inhibit disclosure of contract sponsorship.

To guard against this likelihood, we suggest the following language to conclude the sentence now ending on line 20 of Section 139, page 67: "... consistent with the normal rules governing contracts with outside sponsors as made known by the com-

pany or institution to the entity of the intelligence agency."¹

The more troubling aspect of Section 139 is that restrictions on contracting apply only to companies and institutions. Apparently individuals are excluded. The intelligence agencies are free to enter covert contract relationships with members of the academic community but not with academic institutions. We agree that it is important for the learning and expertise of members of the academic community to be available to the intelligence agencies. But we know of no compelling reason why this relationship should not be disclosed. Indeed, secrecy may work to the disadvantage of the intelligence agencies, for suspicions created about hidden contracts become a warning signal to individuals to avoid all contracts sponsored by the intelligence community. We thus recommend that the obligation of intelligence agencies to disclose contracts with institutions extend to individuals, and that the prohibition against concealing entity sponsorship apply to individual members of the academic community, as well as academic institutions.

IV

Finally, I invite your attention to Section 244, with its restrictions on undisclosed participation in United States organizations. Disclosure may be waived by the head or designee of an entity of an intelligence agency if an individual joins an organization which is "composed primarily of foreign persons and is acting on behalf of a foreign power." The definitions of foreign persons and foreign power under Title II of the Bill appear sufficiently broad to encompass any campus-based group in the United States composed primarily of foreign students and foreign scholars. An intelligence agency would thus be able, without disclosure, to ask a faculty member to join a group of colleagues (say, Korean nationals) in efforts to affect relationships between the United States and a foreign state (say, the Republic of Korea). But absent full disclosure, the practice undermines the necessary trust between students and scholars. Foreign nationals in our institutions of higher education are just as entitled to that assurance as United States nationals.

We recommend that language be added to Section 244 exempting academic institutions from the presently drafted waiver of disclosure.

¹ The bill now reads: "No entity of the intelligence community may enter into any contract or arrangement for the provision of goods or services with any private company or institution in the United States unless the entity sponsorship is known to appropriate officials of the company or institution."

V

The work of the intelligence agencies is an important part of America's efforts to live securely and peacefully in the world. Academic freedom and principles of professional ethics are essential to sustaining and expanding our democratic traditions and practices. For the most part, the intelligence community and the academic community pursue their responsibilities separately. Where they come together, the possibility for friction is high. Secrecy, necessarily woven into the fabric of intelligence activities, is basically antagonistic to the free and open exercise of teaching and inquiry by members of the academic profession.

S. 2525, in recognition that academic freedom holds a place of valued importance in our country, establishes protections—among them, a prohibition on intelligence agencies from using for purposes of cover any academic institution—to safeguard the academic community from indiscriminate use by the intelligence agencies. For the reasons stated, however, we believe these protections to be insufficient.

S. 2525, if enacted as presently drafted, will leave the door open to unacceptable intrusions by the intelligence agencies in colleges and universities throughout America. The free search for truth, the essential quality of the academic enterprise in a free society, will be compromised, the respect of others withdrawn, and the adverse consequences for society longlasting.

We appreciate that our recommendations can lead to additional restrictions on the intelligence agencies in their performance of certain tasks. We are confident that the intelligence agencies can accomplish their vital functions within these restrictions: that the prohibition on intelligence agencies from using as a source of operational assistance in clandestine intelligence activities academics travelling in foreign countries "sponsored and supported by a United States academic institution" apply to all academics abroad; that the intelligence agencies be prohibited from entering covert relations with members of the academic community for recruitment purposes, and that all recruitment by the intelligence agencies in colleges and universities be open; that restrictions on contracting by an intelligence agency with an academic institution extend to individual teachers and scholars; and that the restriction on intelligence agencies to disclose participation in United States organizations not be waived with respect to academic institutions.

It is our firm conviction that these proposed revisions of S. 2525 are acceptable alternatives for na-

tional intelligence activities consistent with the proper functioning of the academic enterprise, so that the academic community and the intelligence community both may better serve the common good.

**DEREK C. BOK, President of Harvard University
Statement before the Senate Select Committee
on Intelligence, July 20, 1978**

I appreciate the invitation to come before you today to discuss the activities of American intelligence agencies as they affect our universities. I think that I can contribute most directly to your deliberations by talking about the policies of my own university in this field and the differences that have arisen between Harvard and the Central Intelligence Agency.

In its 1976 report, a Select Committee of the Senate raised the question whether the integrity and professional standards of faculty members and institutions had been compromised or violated by some of the relationships existing between the academic and intelligence communities. The Select Committee also declared that it was the responsibility of the American academic community to set professional and ethical standards for its members with respect to intelligence activities.

In response to this suggestion and with the view that the problem needed careful thought, I appointed a committee at Harvard to study the specific issues raised by the Select Committee. In choosing the members of the committee, I appointed individuals who were respected within the University and experienced in both the academic and governmental communities. The members included Archibald Cox, Professor of Law; Henry Rosovsky, Dean of the Faculty of Arts and Sciences; Don Price, Dean of the School of Government; and Daniel Steiner, Counsel to the University.

After many months of study and consultation with interested parties, including the Central Intelligence Agency, the Harvard committee issued a report. . . . The report began by listing several fundamental premises. Three of them deserve mention here:

First, in an era of international tension and conflict it is important for the United States to have an effective system of foreign intelligence.

Second, U.S. foreign intelligence efforts, like other forms of professional work and public service, can benefit considerably from the research and expertise that can be obtained from universities and their faculty members.

Third, the relationship between U.S. foreign intelligence agencies and universities must be structured in ways that protect the integrity of universities and the academic profession and safeguard the freedom and objectivity of scholarship.

With these three premises in mind, the committee considered the several questions raised by the Select Committee and recommended the following guidelines to govern relationships between the Harvard community and the CIA and other U.S. intelligence agencies:

1. Harvard may enter into research contracts with intelligence agencies provided that such contracts conform with Harvard's normal rules governing contracting with outside sponsors and that the existence of a contract is made public in the usual manner by University officials.

2. Individual members of the Harvard community may enter into direct or indirect consulting arrangements with intelligence agencies to provide research and analytical services. The individual should report in writing the existence of such an arrangement to the Dean of his or her Faculty, who should then inform the President.

President Derek C. Bok



3. Any member of the Harvard community who has an ongoing relationship with an intelligence agency as a recruiter should report that fact in writing to the Dean of the appropriate Faculty, who should inform the President of the University and the appropriate placement offices within the University. A recruiter should not recommend to an intelligence agency the name of another member of the Harvard community without the prior consent of that individual. Members of the Harvard community whose advice is sought on a one-time or occasional basis should consider carefully whether under the circumstances it is appropriate to give the agency the name of another member of the Harvard community without the prior consent of the individual.

4. Members of the Harvard community should not undertake covert intelligence operations for a government agency. They should not participate in propaganda activities if the activities involve lending their names and positions to gain public acceptance for materials they know to be misleading or untrue. Before undertaking any other propaganda activities, individuals should consider whether the task is consistent with their scholarly and professional obligations.

5. No member of the Harvard community should assist intelligence agencies in obtaining the unwitting services of another member of the Harvard community nor should such agencies employ members of the Harvard community in an unwitting manner.

These guidelines are now in effect at Harvard on an interim basis. In my opinion, they strike a sensible balance. On the one hand, they permit institutional and individual research and consulting arrangements that can benefit universities and individual academics and make available to intelligence agencies the intellectual resources of the University. On the other hand, they prohibit participation in covert recruiting on the campus and in operational activities of intelligence agencies.

It is with respect to these two activities—covert recruiting and operational activities—that significant differences of opinion have arisen between Harvard and the CIA. Over the past year, through staff discussions and correspondence with the CIA, we have unsuccessfully attempted to resolve these differences. . . . [The correspondence,] as well as direct discussions with the CIA, make it clear that the CIA plans to ignore these two central elements of our guidelines.

This disagreement between Harvard and the CIA in regard to covert recruiting and operational use of

academics raises fundamental questions that deserve consideration by this Committee.

Covert recruiting involves the secret use by the CIA of faculty members, administrators, and possibly students to identify individuals, primarily foreign nationals studying at U.S. universities, as likely candidates for employment or other service with the CIA on a regular or sporadic basis. In the course of serving as a covert recruiter of foreign nationals for the CIA, a professor will presumably use the various means at his disposal to put together information for the CIA. For example, in a seminar discussion the professor might probe the student's views on international affairs to advise the CIA with respect to the student's attitudes. In a counselling session the professor might ask questions about the student's financial situation, not for the purpose of helping the student but to provide additional information to the CIA that might be useful in obtaining the student's services. Professors might invite students to social occasions in order to observe the student and gain background information of use to the CIA.

In these ways, recruiters become part-time covert agents of the CIA who use their positions as professors or administrators to identify foreign nationals on U.S. campuses who may be useful to the CIA. Such covert recruiting is highly inappropriate. A university community depends upon trust and candor to promote the free and open exchange of ideas and information essential to inquiry and learning. This atmosphere of trust has already been threatened by the widespread belief that certain foreign governments employ agents to observe and report on the views and behavior of their nationals enrolled as foreign students on American campuses. If it is known that our professors may also be observing foreign students and reporting on them to American intelligence agencies, the free exchange of views will be weakened still further.

As educators, we must be particularly sensitive to the interests of our students. Many of these students are highly vulnerable. They are frequently young and inexperienced, often short of funds and away from their homelands for the first time. Is it appropriate for faculty members, who supposedly are acting in the best interests of the students, to be part of a process of recruiting such persons to engage in activities that may be hazardous and probably illegal under the laws of their home countries? I think not.

The operational use of academics abroad raises equally serious questions. Put most simply, a professor's academic status is used as a cover to engage in activities which presumably include collecting in-

telligence on instructions from the CIA, performing introductions on behalf of the CIA, playing a role in a covert CIA activity, or participating in some other way in CIA operations. Continuation of this kind of activity will be harmful to the academic enterprise. As stated in the report of the Harvard committee, the operational use of academics "inevitably casts doubt on the integrity of the efforts of the many American academics who work abroad and, as a practical matter, may make it more difficult for American academics to pursue their interests in foreign countries." If the CIA will not use Fulbright-Hays scholars for operational purposes, as I understand is the case, I see no reason for the CIA to use other scholars for such purposes. If your own draft legislation prevents intelligence agencies from paying academic personnel for providing information acquired while participating in a U.S. government program abroad, I see no reason why the CIA should enlist the services of academics travelling abroad on other scholarly missions. The same considerations apply in all these situations.

A decade ago, one scholar revealed that his research findings in Nepal had, unknown to him, been regularly reported to the CIA. Thereafter, the work of other professors in India became suspect; requests to do research were subject to long delays; and efforts to work in sensitive areas of the country were blocked. As this example reveals, when the CIA uses professors for a variety of operational tasks, the motives and actions of all scholars abroad become suspect. Answers to inquiries are likely to be guarded; access is likely to be restricted. The apprehension of one professor for engaging in an illegal activity in a foreign country may well result in the total exclusion of other scholars. At that point it will be too late to repair the damage. In the interest of scholarship, therefore, it would be most welcome if the CIA stopped using academic personnel for covert intelligence activities before further incidents take place.

In correspondence with me, the CIA has advanced three arguments to justify its refusal to respect our guidelines.

First, the CIA believes that it has unfairly been singled out as the object of special restrictions. In fact, our report expressly covers all U.S. intelligence agencies. We have not extended such restrictions to other institutions that recruit on our campus only because we have no reason to believe that corporations or other private institutions are either using our professors for covert intelligence activities or recruiting our students for unusually hazardous assignments or for activities that may be illegal under the laws of another nation.

Second, the CIA asserts that our guidelines interfere unjustifiably with the freedom of individual professors and employees to offer their services to the government. Harvard is not eager to impose a moral code on the behavior of its faculty and staff. Like all institutions, however, Harvard does claim the right to promulgate rules which prevent behavior that may compromise its mission or adversely affect the activities of other members of its community. As I have previously pointed out, we have drafted our present rules because we consider them necessary to preserve the integrity of our scholarly activities abroad and the atmosphere of candor and trust that is essential to the free exchange of ideas. The interests protected by our guidelines are important to everyone who seeks to learn and do research in the University.

Third, the CIA has argued that it must disregard our guidelines in the interests of national security. Let us be clear about exactly what this argument implies. Although the CIA emphasizes the "immense benefits we receive from extensive relationships with scholars and academic institutions throughout the country," it insists upon the right to use financial inducements or other means of persuasion to cause our professors and employees to ignore our rules of employment and enter into secret relationships whenever it considers such activities to be justified by the interests of national security.

I do not believe that an agency of the United States should act in this fashion. A Senate committee has called upon the academic community to set standards to govern its relations with the intelligence agencies. Harvard has attempted to set such standards. Yet the CIA is declaring that it will simply ignore essential provisions of our guidelines.

Essentially, our common task is to strike a proper balance between the needs of intelligence agencies in promoting our national security and the interests of the academic community in preserving conditions essential to learning and inquiry. The CIA may have special knowledge of our intelligence needs. But the CIA is hardly the appropriate arbiter to weigh these needs against the legitimate concerns of the academic community. It has no special knowledge of universities nor does it have the experience to weigh the intangible values involved in maintaining the integrity of the scholarly enterprise or an atmosphere of candor and trust on the nation's campuses. In addition, as an agency dedicated to the pursuit of intelligence activities, it cannot claim to have complete objectivity in weighing its own needs against the interests of a separate class of institutions.

I recognize that similar arguments can be applied

to universities. As the representative of an educational institution, I cannot claim to have expert knowledge of our intelligence needs nor can I pretend to have complete objectivity where academic interests are at stake. But it is an extraordinary step for a government agency to assert the right to interfere with the relations between an institution and its employees and to disregard the internal rules that an institution has developed to safeguard its essential activities. Such decisions should be made only under the express authority of the Congress and only on the basis of clear and convincing evidence.

If Congress finds that such evidence exists and that the national security requires its agencies to act in disregard of our rules, we must, of course, submit to such a judgment. But I believe that the evidence will be of a different nature. I suspect that careful examination will show that covert recruiting and the operational use of academic personnel may make the job of the CIA somewhat easier but that such methods are not essential to carrying out its intelligence function. If this is the case, Congress should make it clear that these activities cannot continue, and that the internal rules of academic institutions should be respected. The added effort and inconvenience required of the CIA to carry out its mission should be an acceptable price to pay in order to preserve the integrity of the academic profession, the independence of our educational institutions, and the atmosphere of openness and trust essential to free inquiry and learning.

**ADMIRAL STANSFIELD TURNER, Director,
Central Intelligence Agency**

In thinking about being here with you today, I was struck by the number of ways in which our professions are similar. In intelligence, as in the academic world, good research, digging out information, is the essential foundation of our work. Through the analyses and interpretation of that information, both communities add to the fund of available knowledge. By a commitment to publish its work, both make it available to those who need it so that better conclusions can be reached in many lines of work. And in our country, in the nongovernmental sector, there is a greater concentration of research skills as identified by advanced degrees in the academic community than anywhere else; in the governmental sector, that kind of concentration can be found in the in-



Stansfield Turner

telligence community where there is a greater concentration of Ph.D.'s than anywhere else in the government. This commonality means, in my view, that we have between us a serious foundation for understanding and the basis for a more comfortable, more mutually supportive relationship than has existed in recent years.

I believe that a more mutually supportive relationship between the intelligence and academic communities is particularly important to the United States today. Good intelligence is more important than it has been at any time since World War II. Your contribution to it can be significant and entirely proper.

Thirty years ago the United States held absolute military superiority in the world. Today, we are in a condition of near military parity. Clearly, the leverage gained by knowing the military capabilities and intentions of other nations is much more important when military forces are nearly equal than when there is no competition. Thirty years ago we were relatively independent economically. Today we are clearly interdependent with many other countries. It is much more important today that we know what is happening and what is going to happen in the economic sphere than it was thirty years ago. Thirty years ago we were a dominant political power. Many smaller nations took their cue from us automatically. Today not only do those nations eschew any other nation's leadership, but the number of them has grown. You can pick up your newspaper any morn-

ing and read about a country that did not exist a decade ago.

Given the need for more information and a broader spectrum of information, why must we resort to clandestine intelligence to obtain it? In fact, the intelligence community does research open sources to the maximum extent possible. Unfortunately, other nations do not make it as easy for us to learn about them as we do. The openness of our society permits the rest of the world to know in considerable detail what we think, what we are doing, and what we plan to do. With this information they can anticipate our actions and plan their counter-strategies. Closed societies, and there are many in this world, do not share this kind of information with others. Yet the activities of these closed societies can have tremendous impact on our military, political, and economic well-being.

Would any thinking American consider concluding an agreement on strategic arms limitations with the Soviet Union if he could not be assured that somehow we could check, could verify, whether that agreement was being carried out? This is not a question of whether one trusts the Soviets or has confidence that they will do what they say. The stakes are simply too high for any country to put its total faith in the hands of some other country without any ability to assure itself that promises are being kept.

The same is true with the many other negotiations in which our government is engaged today in an attempt to reduce the threshold, the probability, of resort to arms. Strategic balance, force reductions in Europe, antisatellite negotiations, a comprehensive test ban on nuclear weapons testing, reductions in conventional arms sales around the world, all of these are possible because the intelligence community can assure our government that our information in these areas is good enough to verify the good faith of the other side in carrying out any agreement that may be reached.

But much more than the military sphere is at stake. Our country stands for increased international economic growth, for narrowing the gap between the underprivileged and the privileged nations. Here, too, good economic information is indispensable. It is not to our advantage to be caught by surprise when a closed society like the Soviet Union enters the grain market as it did in 1973. When this occurs, free world economies are disrupted and your pocketbook and mine are directly affected.

A study we did last summer on the future of the Soviet economy is an example of the kind of economic work we are doing. That estimate said that the

Soviets will have economic problems in the decade ahead, problems which will generate pressures that will prevent them from entering the international market as much as they do today. A study on the international energy situation predicted that over the next decade the demand for oil will be greater than the amount we can physically get out of the ground. The reserves are there, but we will be unable to extract quantities adequate to meet the growing demand. Therefore, there will not only be increased pressure on prices, but economic growth will be restricted.

If we are going to combat international terrorism successfully, as we would like to do in this country, there is no substitute for our physically penetrating international terrorist organizations to find out what they are doing. If we want to combat international drug trafficking, we must do the same kinds of things. In the international sphere, whether one is an interventionist or an isolationist—or falls somewhere in between—good information is essential as a base for sound policy. Consequently, this country must have some organization, call it the CIA or whatever you will, that can operate overseas both openly and clandestinely to acquire the information that policy-makers need.

This situation is no different from what it was in the past. Today, however, the rules and the players have changed. The United States intelligence community is under the tightest controls and is operating more openly than ever before. We are in the process of evolving a new, uniquely American model of intelligence, and, I believe, we must be judged on the basis of this new model rather than on a popular but often inaccurate stereotype.

As the Director of Central Intelligence, I have been given strengthened and, in some cases, new authorities to bring together all intelligence activities. I am convinced that the intelligence community must, and I am determined that it will, conform to the laws of the land and to our society's ethical standards as well. I am committed to full cooperation with oversight bodies, some of which are entirely new in the last couple of years. The major oversight bodies are to be found in the executive branch and in Congress.

In the executive branch there are the President and the Vice President, who today take an active and strong interest in intelligence activities and exercise close supervision over them. Also in the executive branch is the Intelligence Oversight Board which is composed of three distinguished citizens, appointed by the President and reporting only to him, who are not otherwise connected with intelligence activities.

You, any citizen, or any of my employees can communicate directly with that Board to report what they believe to be illegal or improper activity by me or anyone in the intelligence community. The Board will investigate that allegation and report its findings directly to the President.

Finally, there are two new and very rigorous committees of the Congress, each dedicated exclusively to intelligence oversight: one in each chamber. They interrogate me closely, and I provide them with detailed information on what we are doing.

In addition to this, I look very much on the American public as a control on intelligence activities. Consequently, we respond more forthrightly to the media today. We attend more academic conferences and symposia. Our analysts write papers supporting your activities. We speak in public more, participate in panels like this, and publish more. We publish whenever we can reasonably declassify a piece of analytic work and after declassification believe that it has value to the public. Any university that is not subscribing to the full range of analytic publications put out by the CIA from the Library of Congress—an average of two a week—is missing one of the greatest source bargains I know.

At the same time, the Freedom of Information Act and our own vigorous declassification program further increase the quantity of information moving into the public sector. These are not public-relations gimmicks. By reducing the corpus of genuinely sensitive information, we simplify our job of safeguarding the secrets which remain; by sharing with you, we hope we are building understanding and subsequently support for the job that we do. In any case, these efforts are based on the sincere conviction that the better informed the American public is on issues of national importance, the better we are serving the nation and the stronger our democracy will be.

We want particularly, however, to rebuild a productive and proper relationship with the academic community. On the one hand, we need you. As with any research organization, we need critical outside scrutiny to ask: Are you missing the woods for the trees? Are you making the same old and perhaps erroneous assumptions year after year? Are you mired in your way of thinking? Is your analysis rigorous enough? On the other hand, we believe we have something to offer you in return. We are an untapped source of valuable primary information to the academic community. Our new and sophisticated technical means of collecting intelligence offer all kinds of potential for you as well as for us. For example, I recently learned that our photographic capa-

bility promises tremendous benefits to archeologists. Excellent photography, a capability which is expensive to develop and carry out, exists in the intelligence community. With this capability, archeological ruins that would otherwise be politically or geographically inaccessible become accessible. And, even when sites are accessible, details not noticed at ground level become apparent when viewed from above. We are eager to share what we can in spheres like this.

However, since we cannot operate in a vacuum, your knowledge and expertise are important to us. It would be irresponsible to risk lives and spend money to go overseas and clandestinely collect information which is openly available within our own society. To try to keep abreast of what you and other Americans learn in your work and travels around the world, we endeavor to keep lines of communication open. This includes informal consulting in areas of political, economic, and scientific expertise. I would note here that the Church Committee saw no danger in relationships such as these to individuals or to the integrity of American private institutions. In fact, the Church Committee report stressed the benefits, to both the government and the universities, of continuing these contacts.

Beyond that, we have formal, contractual, paid relationships with individuals and institutions for consulting or providing information. These are open relationships unless the person with whom we contract wants them to be kept confidential. In the case of academics, we urge that responsible officials of the university be informed of the relationship. Whether or not that is done is the decision of the academic. Clearly, the relationship between an individual professor and the university where he is employed is a relationship between them and not between us and the university.

If a university requires that all outside commitments of its faculty be reported to the administration, we fully support the position that a relationship with the CIA should be no exception. However, we disagree that a relationship with the CIA should be singled out as unique, and the only one that need be reported, as it is in the Harvard guidelines. This assumes that only a relationship with the CIA could endanger an academic's or a school's integrity. With all the opportunities for conflict of interest today, I think that is a naive assumption. Faculty guidelines as conceived or modified to meet the individual needs of the over 3,000 institutions of higher learning in the United States are ultimately internal to the community to which they apply. To expect every po-

tential employer from either the private or the government sector also to abide by these internal guidelines and their multifarious subtleties is unrealistic. That not being practical, then some may urge that the employer himself be regulated in the nature of contacts which may be made with the academic community. In the case of the intelligence community, that might be done by legislative action. I contend that while this may seem a viable and desirable means of controlling and perhaps restricting intelligence community access to the academic community, this control could not work just one way. The access of the academic community to government would thereby also be restricted. The loss in both directions would be far greater than the gain.

Beyond exchange of information in both directions, it should be obvious that the intelligence community is just as dependent as the American business community and the American academic community itself on recruiting the best university graduates. We cannot subsist over time without an annual infusion of relatively few, but high quality, American university graduates. Although we are denied the right of free and open communication and association on a few campuses, we recruit openly today on about 150 different campuses along with businesses and other government agencies. The occasional recommendation of students by staff or faculty members is no different from the confidential recommendations regularly prepared on students by staff and faculty for admission to graduate school or consideration for nongovernment employment.

Additionally, the CIA needs to contract with some very few of the 120,000 foreign students in our country. Despite emotional allegations to the contrary, I

assure you that all such contracts are entered into with the full knowledge of the student, and without coercion. They are often the result of our being sought out rather than the other way around, and they are entirely a matter of free choice on the part of the individual foreign student. The confidentiality of these relationships is not unusual when viewed in the light of this being the students' personal business.

Let me sum up by saying that in our country today intelligence operates under two imperatives: The first is to recognize that the juxtaposition of open and closed societies in our world has real dangers or risks for the open societies. None of us here would trade the short-term advantages that accrue to a closed society for the blessings of openness and respect for the individual inherent in our system, and we all have faith that ours is a long-term strength of great advantage. But at the same time we cannot be so naive as to think that we can forego collecting information about these closed societies without giving them undue and unnecessary advantage.

The second imperative is to recognize that the basic purpose of intelligence is to support and to defend the free institutions of our country. We attempt to do that by providing the most comprehensive, the most reliable information that we can to the President, to the Congress, and, to some extent, to the American public so that the best decisions for all of us can be made. In my view it would make no sense whatsoever for the intelligence community to jeopardize any of those free institutions in the process of collecting that information. I assure you that we are dedicated to conducting intelligence in the United States in ways that will only strengthen the basic institutions and standards of this country.